

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

GABRIEL ARRIES,

Plaintiff,

v.

VICTOR HILL, RASHAWN JOHNSON,
JAMES STEWART, JR.,
JELANI FOSTER, MONTEZ HAWKINS,
SYDNEY CANNON, DAVID EVANS,
BENJAMIN WALKER, JR., AND JOHN
DOES 1-2, in their individual capacities,

Defendants.

CIVIL ACTION FILE NO.:
1:21-CV-03588-SDG

DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S COMPLAINT

COME NOW Defendants Victor Hill, Rashawn Johnson, James Stewart, Jr., Jelani Foster, Montez Hawkins, Sydney Cannon, David Evans, and Benjamin Walker, Jr. (hereinafter "defendants"), by and through the undersigned counsel of record, and hereby file this motion to dismiss plaintiff's complaint (Doc. 1). Pursuant to Fed. R. Civ. P. 12(b), defendants respectfully request that this Court dismiss plaintiff's complaint due to the complaint's failure to state a claim against defendants upon which relief may be granted and the doctrines of qualified and official immunity.

In support of this motion, defendants rely upon the arguments and citations to authority presented in the accompanying memorandum of law, which they file contemporaneously with this motion. For the reasons more fully set forth in the accompanying memorandum of law, defendants' motion should be granted.

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Attorney for Defendant David Evans

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing **DEFENDANTS'**
MOTION TO DISMISS PLAINTIFF'S COMPLAINT to the Clerk of Court
using the CM/ECF system which will automatically send electronic mail
notification of such filing to counsel of record:

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This 8th day of October, 2021.

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